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Attorney for MARKEL INTERNATIONAL
INSURANCE CO., LTD.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

DENNIS CLAYPOOL, individually and
as Guardian Ad Litem for KRISTEN
CLAYPOOL, a minor, SHERYL
CLAYPOOL, SCOTT CLAYPOOL,
and KRISTEN CLAYPOOL,

Plaintiffs,

vs.

CAPTAIN ANDY'S SAILING, INC.,
BLUE DOLPHIN CHARTERS, LTD.
and BLUE DOLPHIN DIVING, INC.,

Defendants.

MATTHEW ISHAM, individually and
as Guardian Ad Litem for HAYDEN
ISHAM, a minor, ROXANNE BEST
ISHAM,

Plaintiffs,

CIVIL NO. CV04-00570 HG-BMK

MARKEL INTERNATIONAL
INSURANCE CO., LTD.'S MOTION
TO INTERVENE AS PARTY
DEFENDANT; MEMORANDUM
IN SUPPORT OF MOTION;
DECLARATION OF STEPHEN C.
SMITH; CERTIFICATE OF
SERVICE

CIVIL NO. CV04-00559 HG-BMK

vs.

BLUE DOLPHIN CHARTERS, LTD.
and BLUE DOLPHIN DIVING, LTD.,
CAPTAIN ANDY'S SAILING, INC.,

Defendants.

IN THE MATTER OF THE
COMPLAINT OF BLUE DOLPHIN
CHARTERS, LTD. AND TERRY
CONNELLY, AS OWNERS OF THE
VESSEL M/V BLUE DOLPHIN, O/N
1082212, FOR EXONERATION
FROM AND/OR LIMITATION OF
LIABILITY

CIVIL NO. CV05-00037 HG BMK

**MARKEL INTERNATIONAL INSURANCE CO., LTD.'S
MOTION TO INTERVENE AS PARTY DEFENDANT**

COMES NOW MARKEL INTERNATIONAL INSURANCE CO., LTD. to
move this Honorable Court for an order permitting it to intervene as party
Defendant in the action pending in this Court entitled, *Dennis Claypool*,
individually and as Guardian Ad Litem for KRISTEN CLAYPOOL, a minor,
SHERYL CLAYPOOL, SCOTT CLAYPOOL, and KRISTEN CLAYPOOL vs.
CAPTAIN ANDY'S SAILING, INC., BLUE DOLPHIN CHARTERS, LTD. and
BLUE DOLPHIN DIVING, INC., Civil No. CV04-00570 HG-BMK, for the
purpose of opposing the Claypool Plaintiffs' Motion for Approval of Good Faith
Settlement, scheduled for June 9, 2006, at 2:00 p.m.

DATED: Honolulu, Hawaii, May 25, 2006.

/s/ Stephen C. Smith
STEPHEN C. SMITH
Attorney for MARKEL
INTERNATIONAL INSURANCE
CO., LTD.